efficient use of the national airspace system by all stakeholders.

(d) REPORT BY THE SECRETARY.—Not less than two years after the date of the establishment of the pilot program under subsection (b)(1), the Secretary shall submit to the appropriate committees of Congress a report on the interim findings of the Secretary with respect to the pilot program. Such report shall include an analysis of how the pilot program affected military test and training.

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate; and

(B) the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Armed Services of the House of Representatives.

(2) The term ''special activity airspace'' means the following airspace with defined dimensions within the National Airspace System wherein limitations may be imposed upon aircraft operations:

(A) Restricted areas.

(B) Military operations areas.

(C) Air Traffic Control assigned airspace.

(D) Warning areas.

SA 4732. Mr. REED submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CYBERSECURITY TRANSPARENCY.

The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by inserting after section 14B (15 U.S.C. 78n–2) the following:

''SEC. 14C. CYBERSECURITY TRANSPARENCY.

''(a) DEFINITIONS.—In this section—

''(1) the term 'cybersecurity' means any action, step, or measure to detect, prevent, deter, mitigate, or address any cybersecurity threat or any potential cybersecurity threat;

''(2) the term 'cybersecurity threat'—

''(A) means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that may result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system; and

''(B) does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement;

''(3) the term 'information system'—

''(A) has the meaning given the term in section 3502 of title 44, United States Code; and

''(B) includes industrial control systems, such as supervisory control and data acquisition systems, distributed control systems, and programmable logic controllers;

''(4) the term 'NIST' means the National Institute of Standards and Technology; and

''(5) the term 'reporting company' means any company that is an issuer—

''(A) the securities of which are registered under section 12; or

''(B) that is required to file reports under section 15(d).

''(b) REQUIREMENT TO ISSUE RULES.—Not later than 360 days after the date of enactment of this section, the Commission shall issue final rules to require each reporting company, in the annual report of the reporting company submitted under section 13 or section 15(d) or in the annual proxy statement of the reporting company submitted under section 14(a)—

''(1) to disclose whether any member of the governing body, such as the board of directors or general partner, of the reporting company has expertise or experience in cybersecurity and in such detail as necessary to fully describe the nature of the expertise or experience; and

''(2) if no member of the governing body of the reporting company has expertise or experience in cybersecurity, to describe what other aspects of the reporting company's cybersecurity were taken into account by any person, such as an official serving on a nominating committee, that is responsible for identifying and evaluating nominees for membership to the governing body.

''(c) CYBERSECURITY EXPERTISE OR EXPERIENCE.—For purposes of subsection (b), the Commission, in consultation with NIST, shall define what constitutes expertise or experience in cybersecurity using commonly defined roles, specialties, knowledge, skills, and abilities, such as those provided in NIST Special Publication 800–181, entitled 'National Initiative for Cybersecurity Education (NICE) Cybersecurity Workforce Framework', or any successor thereto.''.

AUTHORITY FOR COMMITTEES TO MEET

Mrs. MURRAY. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, November 16, 2021, at 10:00 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, November 16, 2021, at 10:00 a.m., to conduct a business meeting.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, November 16, 2021, at 10:15 a.m., to conduct a hearing on nominations.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, November 16, 2021, at 10:00 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, November 16, 2021, at 2:30 p.m., to conduct a closed briefing.

U.S. SUPREME COURT

Mr. WHITEHOUSE. Mr. President, I rise today for now the ninth time to unmask the rightwing, dark money scheme to capture our Supreme Court. I say ''capture'' in the sense of regulatory capture, an Agency capture—a well-known phenomenon.

Today, I turn to an important tool of the scheme's apparatus: the orchestrated amicus curiae brief.

So, first things first, amicus—or friend of the court—briefs are an important instrument in our judicial system. They help those who aren't parties to a case to share their expertise, insight, or advocacy with the Court. I file them myself. ''Friend of the court'' briefs are necessary and useful, usually.

However, in recent years, the Court has had a lot more friends than it used to. Amici filed 781 briefs in the 2014 Supreme Court term—a more than 800-percent increase from the 1950s and a 95-percent increase just from 1995. In the 2010 term, 715 amicus briefs were filed in 78 cases. By 2019, that number had swelled to 911 briefs in just 57 cases. The average number of briefs per argued case almost doubled—from 9 in 2010 to 16 in 2019.

There is another odd feature to this uptick of amicus briefs. Most of the time, you file an amicus brief when the Justices have taken a case and are poised to actually decide the outcome of that case, at the so-called merits stage of the case, which makes sense because this is when the rulings actually become law. But these days, more and more amici arrive when the Court considers whether to take up the case, when the Justices are deciding whether to grant certiorari, or cert. Between 1982 and 2014, the percentage of petitions with at least one cert-stage amicus more than doubled.

Justices pay attention to amicus briefs. The Court cited amicus briefs 606 times in 417 opinions from 2008 to 2013—far more than in the past. These briefs don't always add value, and top appellate judges are beginning to sound that alarm.

Seventh Circuit Judge Michael Scudder said in 2020: ''Too many amicus briefs do not even pretend to offer value and instead merely repeat . . . a party's position'' and ''serve only as a show of hands on what interest groups are rooting for what outcome.''

OK. So what does this have to do with the scheme?

Well, what happens if the Justices whom dark money forces ushered onto the Court are looking for that show of hands?

I doubt it is just a coincidence that the rightwing donor machine that set out to capture the Court has also kicked into gear flotillas of amici that